



CREDIT VALLEY SOURCE PROTECTION AUTHORITY

Friday, October 13, 2017
CVC Administration Office
1255 Old Derry Road, Mississauga, ON

MEMBERS

N. (Nando) Iannicca (Chair)
D. (Don) MacIver (Vice Chair)
T. (Tom) Adams
J. (John) Brennan
G. (Gail) Campbell
J. (Johanna) Downey
B. (Bob) Inglis
M. (Martin) Medeiros
M. (Michael) Palleschi
K. (Karen) Ras
R. (Ron) Starr
J. (Jim) Tovey

Pages

1. **APPROVAL OF AGENDA**

Recommended Resolution:

***RESOLVED THAT** the agenda be approved as distributed.*

2. **DECLARATION OF CONFLICT OF INTEREST**

3. **MINUTES OF PREVIOUS MEETING**

Recommended Resolution:

***RESOLVED THAT** the minutes of the 19th meeting of the Credit Valley Source Protection Authority held September 11, 2015 be adopted.*

4. **PRESENTATION / DELEGATION**

5. **BUSINESS ARISING FROM MINUTES**

6. **NEW BUSINESS STAFF REPORTS**

6.1 DRINKING WATER SOURCE PROTECTION PROGRAM UPDATES

A report on the above mentioned subject as submitted by Kerry Mulchansingh, Program Manager, Hydrology and Gayle Soo Chan, Director, Watershed Knowledge is included in the agenda package as Schedule 'A'.

Recommended Resolution:

RESOLVED THAT the report entitled "Drinking Water Source Protection Program Updates" be received and appended to the minutes of this meeting as Schedule 'A'; and further

THAT the CVSPA endorses the recommendation of the CTC SPC to proceed with amendments to the Credit Valley Assessment Report and the CTC Source Protection Plan.

7. **CORRESPONDENCE/INFORMATION ITEMS DISTRIBUTED TO MEMBERS**
8. **NOTICE OF MOTION**
9. **QUESTION PERIOD**
10. **OTHER BUSINESS**
11. **MEETING ADJOURNED**

TO: The Chair and Members
of the Board of Directors,
Credit Valley Source Protection Authority (CVSPA)

SUBJECT: **DRINKING WATER SOURCE PROTECTION PROGRAM
UPDATES**

PURPOSE: **To obtain endorsement from the CVSPA to proceed with amendments to the CVSPA Assessment Report and CTC Source Protection Plan (CTC SPP); and to advise the CVSPA of their responsibilities for reporting to the MOECC by May 1st annually.**

BACKGROUND:

The Credit Valley – Toronto & Region – Central Lake Ontario (CTC) Source Protection Plan was approved by the Minister of the Environment and Climate Change in July 2015 and became effective on December 31, 2015. Municipalities, source protection authorities, and various provincial ministries have been implementing policies within the plan since it became effective.

Annual Reporting:

Annual monitoring and reporting requirements are outlined in the *Clean Water Act (CWA), 2006* under section 46 (Annual Progress Reports) and section 81 (Part IV Regulation of Drinking Water Threats).

- The reporting requirements under section 46 are generally broad and include measures taken to implement the Source Protection Plan, results of municipal monitoring policies, the extent to which objectives in the plan are being achieved and other information as prescribed by the regulations. The CTC Source Protection Region (CTC SPR) is required to submit its first annual progress report to the MOECC by May 1, 2018.
- Under Section 81 of the *Clean Water Act, 2006* and section 65 of Ontario Regulation (O. Reg.) 287/07, each Risk Management Official (RMO) must prepare a report annually and submit it to the appropriate source protection authority within which their jurisdiction is located. This report summarizes the actions taken by the Risk Management Official and Risk Management Inspector(s) during the preceding year. In the CTC SPR there are eight (8) Risk Management Officials; six (6) in the CVSPA.

The general process by which annual reporting will be carried out in the CTC SPR is outlined in Figure 1. Those responsible for the implementation of policies in the CTC

Source Protection Plan are required to submit a report of their activities during the previous calendar year to the source protection authority by February 1. Staff will summarize the results of implementation activities and bring this information to the CTC Source Protection Committee (CTC SPC) for their review. The CTC SPC must provide written comments to the source protection authority about the extent to which, in the opinion of the committee, the objectives set out in the source protection plan are being achieved by the measures described in the report. The Source Protection Authority must then submit a report to the Minister by May 1st each year documenting implementation progress.

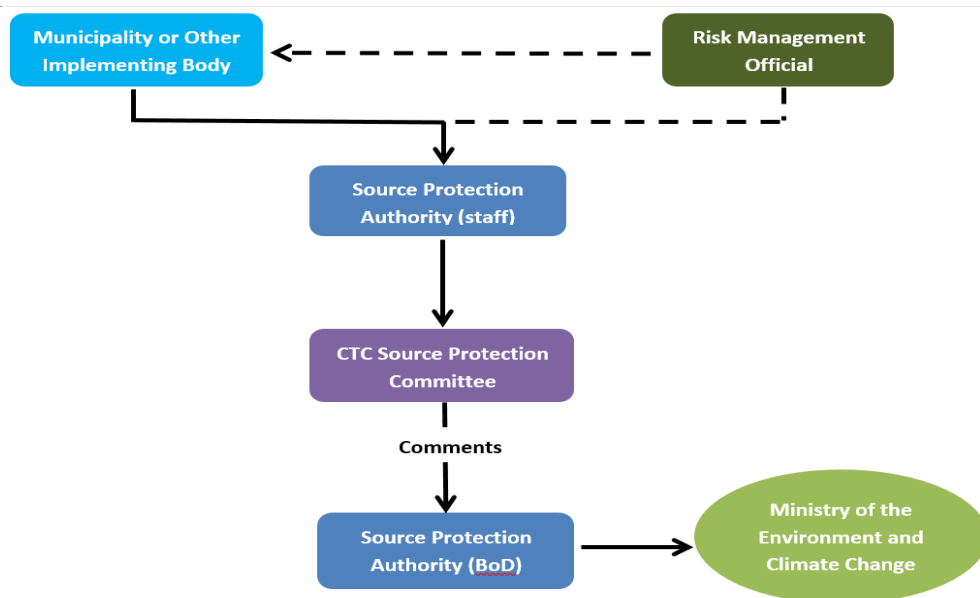


Figure 1: Schematic of Annual Reporting within the CTC Source Protection Region

CTC SPR Approach to Annual Reporting:

At CTC Source Protection Committee meeting #1/16, held on November 28, 2016, by Resolution #4/16, the SPC authorized the formation of an Annual Reporting Working Group (WG) to work with staff and municipal partners to develop recommendations for reporting due to the Toronto and Region Source Protection Authority (TRSPA), the Credit Valley Source Protection Authority (CVSPA), and the Central Lake Ontario Source Protection Authority (CLOSPA). The Annual Reporting WG proposed an approach to annual reporting which was presented to the CTC SPC at meeting #2/17, held on September 20, 2017. By Resolution #11/17, the CTC SPC endorsed the approach to annual reporting to consist of three components:

- 1) Creation of municipality specific annual reporting templates which will be used to populate the Annual Reporting Supplemental Form provided by the Source Protection Programs Branch (MOECC);
- 2) Completion of the MOECC 'Public Facing' Annual Progress Report; and
- 3) Establishment of a CTC Source Protection Region Public Facing Annual Report.

Amendments to the CTC Source Protection Plan:

The *Clean Water Act*, 2006 (CWA) and Ontario Regulation (O. Reg. 287/07) allow for amendments to be made to a source protection plan. The four sections of the *Act* and Regulation which describe amendments are outlined in the Figure 2. Section 34, in particular, allows the source protection authority to make amendments that cannot wait until the Section 36 update (mandated review of the CTC Source Protection Plan due in November 2018) and do not qualify as minor administrative amendments under Section 51. Amendments that are appropriate to make under Section 34 include those that are necessary to ensure new or expanded municipal sources of drinking water are protected, incorporate important information not available at the time the plan was first approved, and critical implementation issues are addressed.

At CTC Source Protection Committee (CTC SPC) meeting #1/16, held on November 28, 2016, by Resolution #5/16, the SPC authorized the formation of an Amendments Working Group (WG) to work with staff and municipal partners to develop recommendations for amendments to the CTC Source Protection Plan (CTC SPP). The Amendments WG has met twice to discuss necessary amendments to the Credit Valley Assessment Report (CVAR), as well as the CTC Source Protection Plan (CTC SPP).

4 Types of Revisions	Examples
s.34 Amendment (CWA) <i>(SPA Proposes)</i>	<ul style="list-style-type: none"> • New/expanded systems • Completion of technical work • e.g., water budgets
s. 35 Order (CWA) <i>(Minister's Order)</i>	<ul style="list-style-type: none"> • Minister's discretion • e.g., authority unable to obtain municipal support for amendments
s. 36 Update (CWA) <i>(Mandatory Review)</i>	<ul style="list-style-type: none"> • Most plan revisions • e.g., new policies, new technical work
s. 51 (O.Reg.287/07) <i>(SPA's Discretion)</i>	<ul style="list-style-type: none"> • Minor administrative errors • e.g., correction of typos, spelling, etc.

Figure 2: Options for Amendments to Source Protection Plans under the *Clean Water Act*, 2006.

1. Technical Amendments: Summary and Analysis

In advance of negotiating the CTC Source Protection Region (CTC SPR) workplan for 2017-2018 with the Source Protection Programs Branch, staff consulted with municipal partners to confirm whether there were any technical activities planned in their jurisdiction. The technical work expected to take place between April 1, 2017 and March 31, 2018 is detailed in the Table 1 below. All of this technical work falls within the scope of a Section 34 amendment to the CTC SPP. WG members are supportive of

proceeding with incorporating this technical information into the CTC SPP through a Section 34 amendment in spring 2018.

Table 1: Technical Activities (2017-2018) in the Credit Valley Source Protection Area

Municipality	Proposed s.34 Activities
Town of Erin	Two new municipal groundwater wells
Region of Peel	New municipal groundwater well to be brought online at Inglewood
	Municipal groundwater well to be decommissioned at Inglewood
Town of Orangeville	Revise mapping in Credit Valley Assessment Report to reflect accurate vulnerability scoring for certain wells

2. Policy Amendments: Summary and Analysis

During their two meetings, the WG discussed CTC SPP policies which municipal staff have identified that are challenging to implement given a number of ambiguities, practicalities, and enforcement difficulties associated with the policies. For a number of these policies, the WG proposed that the CTC SPC review the implementation challenges brought forward by municipal staff and revise these policies through a section 34 amendment in spring 2018.

ANALYSIS:

At CTC SPC meeting #2/17, held on September 20, 2017, by Resolution #10/17, the CTC SPC endorsed the recommendations of the WG to proceed with Section 34 amendments to the CTC SPP. With support from the Source Protection Committee, it is the responsibility of the Credit Valley Source Protection Authority (CVSPA) to initiate these amendments. Once endorsed by the CVSPA, staff will proceed to work with the WG to advance the plan amendment process documented in Table 2 below. It is expected that policy text developed in conjunction with the WG will be brought before the CTC SPC for their consideration at their January 2018 meeting.

Table 2: Anticipated Source Protection Plan Amendment Process (2017-2018)

Stage of Plan Amendment Process	Anticipated Timeline
Need for Plan Revisions Confirmed (SPA initiates amendments)	October 2017
Plan Amendment(s) Developed (In consultation with SPC)	Sept. 2017 – Jan. 2018
Early Engagement (Municipalities, MOECC)	June 2017 – Jan. 2018
Pre-consultation (All Implementing Bodies)	Feb. – March 2018
Municipal Endorsement (Council Resolutions)	Feb. – April 2018
Public Consultation	March – April 2018
SPA submits to the MOECC	May – June 2018

COMMUNICATIONS PLAN:

Amendments to the Credit Valley Assessment Report (CVAR) and the CTC Source Protection Plan will require a minimum 35-day consultation period; this follows an extensive early engagement and pre-consultation with all those required to implement the revised policies. As with the development of the CVAR and the CTC SPP, it is expected that the all landowners, municipalities, and other implementing bodies will be made aware of the potential impact on their operations as a result of documents generated under the *Clean Water Act, 2006*.

To comply with the annual reporting requirements under the *Clean Water Act, 2006*, the CTC SPR will post the completed public documents outlining implementation of the CTC SPP on May 1, 2018.

FINANCIAL IMPLICATIONS

Funding has been provided to Toronto and Region Conservation Authority (as the Lead Source Protection Authority in the CTC SPR) through a transfer payment agreement with the MOECC. The financial resources to support CVC staff time to advance and maintain the Drinking Water Source Protection Program are provided through this agreement.

RECOMMENDED RESOLUTION:

RESOLVED THAT the report entitled "Drinking Water Source Protection Program Updates" be received and appended to the minutes of this meeting as Schedule 'A'; and further

THAT the CVSPA endorses the recommendation of the CTC SPC to proceed with amendments to the Credit Valley Assessment Report and the CTC Source Protection Plan.

Submitted by:



Kerry Mulchansingh
 Program Manager, Hydrogeology



Gayle SooChan
 Director, Watershed Knowledge

Recommended by:



Deborah Martin-Downs
Chief Administrative Officer